

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF BIG RIVERS ELECTRIC)	
CORPORATION FOR APPROVAL OF ITS 2012)	
ENVIRONMENTAL COMPLIANCE PLAN, FOR)	
APPROVAL OF ITS AMENDED)	CASE NO.
ENVIRONMENTAL COST RECOVERY)	2012-00063
SURCHARGE TARIFF, FOR CERTIFICATES OF)	
PUBLIC CONVENIENCE AND NECESSITY,)	
AND FOR AUTHORITY TO ESTABLISH A)	
REGULATORY ACCOUNT)	

O R D E R

On July 6, 2012, Big Rivers Electric Corporation ("Big Rivers") filed a motion to deviate from Commission Staff's June 22, 2012 Second Request for Information requiring that a paper original and ten paper copies of responses to requests for information be filed with the Commission. In conjunction with the motion, Big Rivers states that it is filing a paper original and ten paper copies of its responses to Commission Staff's Second Request for Information, Kentucky Industrial Utility Customer, Inc.'s ("KIUC") Second Request for Information, the Attorney General's ("AG") Second Request for Information, and Sierra Club's Second Request for Information, except that certain attachments to some of the responses are provided electronically on a USB drive attached to the original and each copy of the responses.

In support of its motion, Big Rivers asserts that, if printed, the electronic attachment to the response to Item 6 of Commission Staff's Second Request for Information would contain over 240 pages; the electronic attachment to the response to

Item 3 of KIUC's Second Request for Information would contain over 190 pages; the electronic attachment to the response to Item 44g of KIUC's Second Request for Information would contain approximately 89 emails, many of which contain attachments; and the non-confidential electronic attachment to the response to Item 27c.ii of Sierra Club's Second Request for Information would contain over 130 pages.

Big Rivers further asserts that the electronic attachment to Item 6 of KIUC's Second Request for Information "is an Excel spreadsheet that is difficult to read if printed in hardcopy." Lastly, the electronic attachments to Items 7, 20b, 20c, 25, 35, 60d of KIUC's Second Request for Information and Items 3c, 5b, and 9e of Sierra Club's Second Request for Information are being filed electronically because the discovery items specifically requested production of electronic spreadsheets.

Having reviewed the motion and being otherwise sufficiently advised, the Commission finds that Big Rivers has established good cause to deviate from the provision in the June 22, 2012 Order that requires the filing of ten paper copies with the Commission. The Commission finds that the attachments to the responses to Item 6 of Commission Staff's Second Request for Information; Items 3, 44g, and 60 of KIUC's Second Request for Information; and Item 27c.ii of Sierra Club's Second Request for Information are sufficiently voluminous to allow Big Rivers to substitute electronic copies for the paper copies to be filed with the Commission. However, Big Rivers is required to file the original attachments in paper format.

The Commission further finds that Big Rivers should be allowed to file the attachments to the responses of Items 6, 7, 20b, 20c, 25, 35 and 60d of KIUC's Second Request for Information and Items 3c, 5b, and 9e of Sierra Club's Second Request for

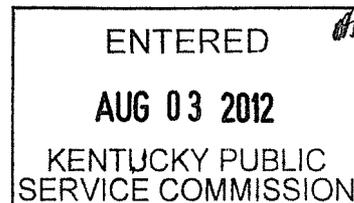
Information in electronic format given that the best means to accurately respond to those discovery requests is by electronic format.

IT IS THEREFORE ORDERED that:

1. Big Rivers' motion to deviate from the filing requirements of Commission Staff's June 22, 2012 Second Request for Information is granted to the extent that Big Rivers may file in electronic format the ten copies of its attachments to the responses of the discovery requests identified herein.

2. Within ten days of the date of this Order, Big Rivers shall file with the Commission in paper format the original attachment responses to Item 6 of Commission Staff's Second Request for Information; Items 3, 44g, and 60 of KIUC's Second Request for Information; and Item 27c.ii of Sierra Club's Second Request for Information.

By the Commission



ATTEST:


Executive Director

Case No. 2012-00063

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